

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JIMMY D. BURDETTE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 06-CV-486-JPG
)	
JENNIFER McCLOSKEY et al.,)	
)	
Defendants.)	

ORDER

GILBERT, District Judge:

This matter comes before the Court for purposes of case management. On December 27, 2006, this Court ordered Burdette to show cause on or before January 10, 2007, why it should not dismiss this case for Burdette's failure to effect timely service (Doc. 27). Burdette has failed to respond to the Court's order.

This is one of two cases that Burdette has filed in this Court in the last year. On December 27, 2006, the Court dismissed his other action for his failure to prosecute – among other things, he failed to appear at a hearing this Court held on his request for a temporary restraining order. *Burdette v. Garnatti*, Case No. 06-cv-445-JPG (S.D. Ill. Dec. 27, 2006). Burdette is proceeding *pro se* in this matter, as he was in his other case, so he is not registered for CM/ECF. As such, the Clerk's Office has mailed copies of all court-generated docket entries in both cases to the address Burdette provided when he filed his complaints. Since that time, the post office has returned the mail sent by the Clerk's Office in Case No. 06-445 as undeliverable. As Burdette gave the same address in both cases, the Court can only assume that the show cause order it entered in this case will eventually find its way back here undelivered.

As a *pro se* litigant, Burdette alone has the responsibility to keep the Clerk of Court apprised of his whereabouts. As Burdette has failed to do so, the fault for his failure to receive copies of the filings in this case is most assuredly his own. If he were at all interested in litigating this case he would have provided a current address, come into the Courthouse to check the status of his case, or taken some other action to get this case on track. As it stands now, Burdette has not made any filing in this case since June 21, 2006 and has not affected service. Accordingly, this Court **DISMISSES** this action without prejudice for Burdette's failure to effect service.

IT IS SO ORDERED.

Dated: January 11, 2007

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. District Judge